

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Aoyagi, J. et al.

Serial No.: Herewith

Group Art Unit: 1615

Filed: August 16, 2001

Examiner: Tran, S.

Title: NOVEL ADSORBENT

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Commissioner for Patents  
Washington, DC 20231

PRELIMINARY AMENDMENT

Sir:

Prior to examination and prior to the calculation of the filing fee, please amend this application as follows:

In the claims:

Please amend claims 4, 6, 8, 9, 12, 13, 18 and 19 as follows.

4. (Amended) An adsorbent according to [any of claims] claim 1[-3], wherein said adsorption basis is a carbonaceous material possessing the ability to effect adsorption.

6. (Amended) An adsorbent according to [any of claims] claim 1[-5], wherein said gel-like substance is the divalent metallic salt of a macromolecular polycarboxylic acid.

8. (Amended) An adsorbent according to [any of claims] claim 1[-5], wherein said gel-like substance is soybean curd, jelly, konjak, agar, perilla, gelidium jelly, or chitosanoxalic acid salt gel.

9. (Amended) An adsorbent formed by drying an adsorbent set forth in [any of claims] claim 1[-8].

12. (Amended) An adsorbent according to claim 10 [or claim 11], wherein said adsorbent moiety comprises an adsorbent set forth in [any of claims] claim 1[-9].

13. (Amended) An agent for removal by adsorption of a harmful substance, which comprises an adsorbent set forth in [any of claims] claim 1[-12].

18. (Amended) An agent for the removal by adsorption of a surplus nutrient assimilated in the digestive system, which agent comprises an adsorbent set forth in [any of claims] claim 1[-12].

19. (Amended) An agent for the removal by adsorption of the intermediate metabolite of alcohol formed in the digestive system in consequence of the assimilation of said alcohol, which agent comprises an adsorbent set forth in [any of claims] claim 1[-12].

Please cancel claims 21-23.

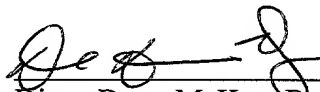
#### REMARKS

Claims 4, 6, 8, 9, 12, 13, 18 and 19 have been amended to cancel multiple dependencies. Attached is a clean copy of claims 4, 6, 8, 9, 12, 13, 18 and 19. Claims 21-23 have been cancelled. Claims 1-20 are in this application.

Applicants believe that the claims would have been allowable as originally filed. Accordingly, applicants assert that no claims have been narrowed within the meaning of the Federal Circuit's recent decision in *Festo Corp. v. Shoketsu Kinzoku Kohyo Kabushiki Co.*, No. 95-1066, 2000 WL 1753646 (Fed. Cir. Nov. 29, 2000).

A prompt and favorable action on the merits is earnestly solicited. It is believed that no fee is required. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,



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DATE: August 16, 2001

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## CLEAN COPY OF CLAIMS

4. An adsorbent according to claim 1, wherein said adsorption basis is a carbonaceous material possessing the ability to effect adsorption.
6. An adsorbent according to claim 1, wherein said gel-like substance is the divalent metallic salt of a macromolecular polycarboxylic acid.
8. An adsorbent according to claim 1, wherein said gel-like substance is soybean curd, jelly, konjak, agar, perilla, gelidium jelly, or chitosanoxalic acid salt gel.
9. An adsorbent formed by drying an adsorbent set forth in claim 1.
12. An adsorbent according to claim 10, wherein said adsorbent moiety comprises an adsorbent set forth in claim 1.
13. An agent for removal by adsorption of a harmful substance, which comprises an adsorbent set forth in claim 1.
18. An agent for the removal by adsorption of a surplus nutrient assimilated in the digestive system, which agent comprises an adsorbent set forth in claim 1.
19. An agent for the removal by adsorption of the intermediate metabolite of alcohol formed in the digestive system in consequence of the assimilation of said alcohol, which agent comprises an adsorbent set forth in claim 1.